

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
EDUARDO GARZA MORA,)	
)	
Plaintiff,)	
)	
vs.)	
)	Civil Action No.: 05-11651NMG
THE GILLETTE COMPANY,)	
)	
)	
Defendant.)	
)	
_____)	

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1

The parties to the above-referenced action jointly file this Joint Statement pursuant to Rule 16.1(D) of the Local Rules of the United States District Court for the District of Massachusetts. In accordance with the provisions of Local Rule 16.1(D), counsel have conferred concerning an agenda for matters to be discussed at the Scheduling Conference and a proposed pre-trial schedule for the case, including a plan of discovery, and consideration of trial by magistrate judge.

I. Conference Among Counsel and Their Clients

Counsel for the parties have conferred to address the matters contemplated by Local Rule 16.1. The parties do not consent to alternative dispute resolution at this time and likewise do not consent to trial by magistrate judge.

II. Proposed Agenda of Matters to be Discussed at the Scheduling Conference

1. Discussion of the facts of the case
2. Settlement possibilities
3. Proposed pre-trial schedule, including a plan for discovery

4. Possibility of consent to trial by magistrate judge

5. Possibility of consent to alternative dispute resolution programs pursuant to Local

Rule 16.4

6. Any other matters

III. Proposed Pre-Trial Schedule and Discovery Plan

A. Automatic Disclosures

Under Fed. R. Civ. P. 26(a)(1), Defendant and Plaintiff are required to make automatic disclosures on or before November 17, 2005. With the Court's permission, the parties agree to extend this deadline until and including December 1, 2005.

B. Amendment to Pleadings and Joinder of Parties

The parties agree that all amendments to the pleadings and joinder of parties will be concluded by November 17, 2005.

C. Fact Discovery

The parties agree that all discovery, except expert discovery as provided below, shall be concluded by June 1, 2006.

D. Expert Discovery

The Plaintiff will make his expert disclosures in accordance with Fed. R. Civ. P. 26(a)(2) by May 1, 2006. The Defendant will make its expert disclosures by June 1, 2006. The parties agree that expert discovery will be concluded by June 30, 2006.

E. Motions

The parties agree that summary judgment motions shall be filed no later than August 1, 2006.

IV. Certification Pursuant to Local Rule 16.1

Plaintiff's counsel certifies that he has conferred with his client (a) with a view to establishing a budget for the costs of conducting the full course, and various alternative courses of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs, such as those outlined in Local Rule 16.4.

The certification of Mr. Eduardo Garza Mora, also required by Local Rule 16.1(D)(3), is attached hereto at **Exhibit A**.

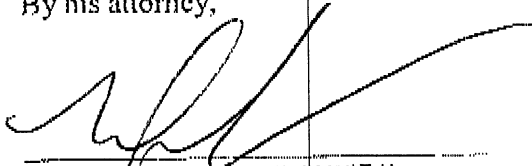
The Defendant's counsel certifies that he has conferred with his client (a) with a view to establishing a budget for the costs of conducting the full course, and various alternative courses of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs, such as those outlined in Local Rule 16.4.

The certification of the Defendant, The Gillette Company, also required by Local Rule 16.1(D)(3), is attached hereto at **Exhibit B**.

Respectfully submitted,

EDUARDO GARZA MORA

By his attorney,



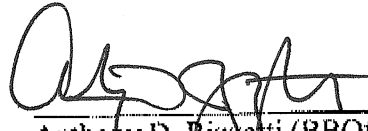
Neil Osborne (BBO# 567674)
41 West Street, 7th Floor
Boston, MA 02111-1216
(617) 482-1160

Dated: October 25, 2005

Respectfully submitted,

THE GILLETTE COMPANY

By its attorneys,

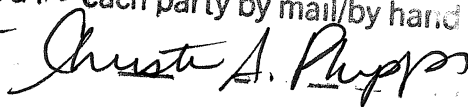


Anthony D. Rizzotti (BBO# 561967)
Christine A. Phipps (BBO# 658942)
ROPES & GRAY LLP
One International Place
Boston, MA 02110-2624
(617) 951-7000

Dated: October 26, 2005

CERTIFICATE OF SERVICE

I hereby certify that on this day a true copy of
the above document was served upon the
attorney of record for each party by mail/by hand

Date: 10/27/05 

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EDUARDO GARZA MORA
Plaintiff,

vs.

THE GILLETTE COMPANY
Defendant

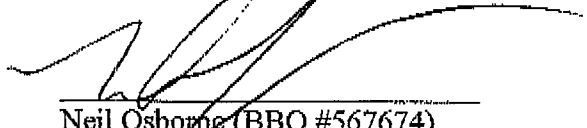
Civil Action NO. 05 11651NMG

Local Rule 16.1(D)(3) Certification

The undersigned counsel for the Plaintiff certifies that he has conferred with Mr. Eduardo Garza Mora:

- (a) with a view to establishing a budget for the costs of conducting the full course--and various alternative courses--of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

Respectfully Submitted,
Plaintiff, by His Attorney


Neil Osborne (BBO #567674)
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Boston, MA 02111-1216
Phone (617) 482-1160
Fax (617) 482-1166

Dated: October 24, 2005

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EDUARDO GARZA MORA,

Plaintiff,

vs.

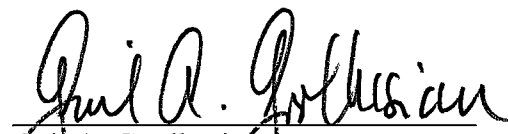
THE GILLETTE COMPANY,

Defendant.

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) Civil Action No.: 05-11651NMG
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CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 16.1(D)(3)

The Defendant in the above-captioned action and its undersigned attorneys hereby certify that they have conferred: (a) with a view to establishing a budget for the full course – and various alternative courses – of litigation; and (b) to consider a resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.



Gail A. Goolkasian
Assistant General Counsel
The Gillette Company



Anthony D. Rizziotti (BBO #561967)
Christine A. Phipps (BBO# 658942)
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One International Place
Boston, Massachusetts 02110
(617) 951-7000

Dated: October 26, 2005